GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – APHB – Nellore Division – Smt. M.Rajeswari, Executive Engineer, A.P.Housing Board, Kurnool, presently working at A.P.Housing Board Division, Nellore – Departmental Proceedings under Rule-20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Articles of charges – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (HB.VC) DEPARTMENT

G.O.RT.No. 674 **Dated: 22-09-2017**

1. The Director General (VIG cell & ENFT) E.O.PRL.SECY. to Govt.(FAC), VIGILANCE REPORT NO.54(1606/V&E/E/2016), G.A (Vig cell & Enft) Department, Dated 22-06-2017.

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ORDER:

It is proposed to hold an inquiry against Smt. M.Rajeswari, Executive Engineer, A.P.Housing Board, Kurnool, presently working at A.P.Housing Board Division, Nellore. In accordance with the procedure laid down Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges and statement imputations (Annexure-I & II). A list of documents by which, and a list of witnesses by whom, the articles of charges proposed to be sustained are also enclosed (Annexure-III & IV).

3. Smt. M.Rajeswari, Executive Engineer, A.P.Housing Board, Kurnool, presently working at A.P.Housing Board Division, Nellore is directed to submit her written statement of defense within (15) days from the date of receipt of their order.

4. Smt. M.Rajeswari, Executive Engineer, A.P.Housing Board, Kurnool, presently working at A.P.Housing Board Division, Nellore is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. She should, therefore, specifically admit or deny each article of charge.

5. Smt. M.Rajeswari, Executive Engineer, A.P.Housing Board, Kurnool, presently working at A.P.Housing Board Division, Nellore, is further informed that if she does not submit her written statement of defense on or before the date specified in para 3 above further action will be taken based on the material available.

6. Smt. M.Rajeswari, Executive Engineer, A.P.Housing Board, Kurnool, presently working at A.P.Housing Board Division, Nellore, is invited to Rule 24 of the Andhra Pradesh Civil Services (conduct) Rule, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further her interest in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Smt. M.Rajeswari, Executive Engineer, A.P.Housing Board, Kurnool, presently working at APHB Division, Nellore is aware of such are presentation and that it has been made at her instance and action will be taken against her for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The Vice chairman and Housing Commissioner, Andhra Pradesh Housing Board, Vijayawada is requested to serve the charge memo to the charged officer and furnish the dated acknowledgment.

[BY ORDER AND IN THE NAME OF THE GOVERNER OF ANDHRA PRADESH]

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Smt. M.Rajeswari, Executive Engineer, A.P. Housing Board,
Nellore Individual concerned **through** The VC & HC,
A.P. Housing Board, Prasadampadu, Vijayawada.
The VC & HC, A.P.Housing Board, Prasadampadu, Vijayawada.
(With request to **serve & Return served copy** to Government immediately)
Sf/Sc.

// FORWARDED:: BY ORDER //

SECTION OFFICER

ANNEXURE-I

DRAFT ARTICLES OF CHARGES TO BE FRAMED AGAINST SMT.M.RAJESWARI, EXECUTIVE ENGINEER, APHB, KURNOOL, PRESENTLY WORKING AT APHB DIVISION, NELLORE.

Charge No 1:

That she has allowed payments for substandard work in the MIG Houses, construction of A.P. Housing Board under Phase –IX at Nandyal, Kurnool District.

Charge No 2:

That she has Not Recovery the Mobilization advance as per agreement clause 49.12.1 in the MIG Houses, construction of A.P. Housing Board under Phase –IX at Nandyal, Kurnool District.

Charge No3:

That she failed to maintain absolute integrity, discipline, impartiality and sense of prosperity and her act is unbecoming of such an employee of the Government, thereby contravened Rule 3 of APCS (Conduct) Rules, 1964.

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-II

DRAFT STATEMENT OF IMPUTATIONS ON MISCONDUCT/MISBEHAVIOUR IN SUPPROING TO THE CHARGES TO BE FRAMED AGAINST SMT.M.RAJESWARI, EXECUTIVE ENGINEER,APHB,KURNOOL, PRESENTLY WORKING AT APHB DIVISION, NELLORE.

The work was not completed within the agreement period. The agreement period was extended upto 21-03-2016 in four spells as detailed below.

1) EOAT was granted upto 21-12-2014 without imposing any LDs with price escalation vide Memo No. 3842/Ndyl/Ph-IX/CE/AE5/10, Dt. 15-07-2014 of CE, APHB, Hyderabad,

2) EOAT was granted upto 21-05-2015 i.e., upto 21-02-2015 with price escalation and from 22-02-2015 to 21-05-2015 without price escalation and without LDs vide Memo No. 3842/Ndyl/Ph-IX/CE/AE5/2010, Dt. 18-02-2015 of CE, APHB, Hyderabad,

3) EOAT was granted upto 21-09-2015 i.e., upto 21-07-2015 without price escalation and without Liquidated Damages and from 22-07-2015 to 21-09-2015 without price escalation and by imposing LDs vide Memo No. 3842/Ndyl/Ph-IX/CE/AE5/2010, Dt. 08-06-2015 of CE, APHB, Hyderabad,

4) The agreement was terminated by the Executive Engineer, APHB, Kurnool vide Lr.No.Scheme/NDL/Ph-IX/DB/EE(H)/KNL/2010/7502, dated 21-09-2015.

5) EOAT was granted upto 21-03-2016 by revoking the above termination orders on contractor's request as the Department was not in a position to make payments due to attachment of Bank Accounts by IT Department vide Lr.No. Scheme/NDL/Ph-IX/DB/EE(H)/KNL/ 2010/7628, Dt.30-12-2015 of the Executive Engineer, APHB, Kurnool.

2. The contractor failed to complete the work by 21-03-2016 and no payments were made to the contractor after 09-12-2014 which reflects that no work was executed.

3. The G.A (Vig cell & Enft) Department has further stated that the value of work done so far is Rs.814.20 Lakhs. Most of the beneficiaries have paid tentative cost of the houses and the amount collected from the allottees of MIG-I and MIG-Il is Rs. 1713.81 Lakhs (Rs. 163.74 + Rs. 1550.07) and the present status of houses is as detailed below.

Sl.No	Types of Houses	Basement Level	Core houses	Brick Work Partially completed	Brick Work fully Completed	Plastering completed
1	MIG – II	13	25	15	12	40
2	MIG – I	19	--	--	--	--

4. The work was not completed even after extending the agreement period upto 21-03-2016 and no work is in progress at present.

Most of the allottees have paid tentative cost of the house at the time of notification.

Hence, the allegation is substantiated.

5. The site was inspected on 14-04-2016 by the Chief Engineer, APHB, Hyderabad along with the Superintending Engineer, Executive Engineer, Deputy Executive Engineer and Assistant Engineer in the presence of contractor's representative and allottees. During the inspection at site, allottees association raised objection regarding 12 Km lead allowed for carting earth for road construction and basement fillings, as the contractor brought soils from ½ Km lead only. The petitioner also complained that, earth was filled instead of sand beneath the footings.

6. On enquiry by the Chief Engineer, above two (2) objections raised by Allottees' Association were proved and he instructed to recover the excess amount paid to the contractor. The mobilization advance was also not recovered as per the terms and conditions of the agreement clause No.49.12.1. Regarding mobilization advance Rs 20.00 Lakhs, interest till to date and LDs proposed while sanctioning EOAT were yet to be recovered from the contractor.

7. The LOC was released at the request of Executive Engineer, the Deputy Executive Engineer and Assistant Engineer proposed to release the amount vide LS VIth & Part Bill towards price escalation. It shows their interest towards payment to the contractor without extracting any work.

8. During the inspection by C.E., Andhra Pradesh Housing Board, Hyderabad on 03-04-2015, defects were observed such as the Honey Combs, uneven plastering, exposure of reinforcement, uneven alignment of plinth beams etc., which reveals the improper execution of work.

1) The APHB officials have allowed 12 KMs lead for payment instead of 1/2 Km lead.
2) The soils were filled beneath footings instead of sand.
3) The APHB officials attempted to release amount to the contractor towards price escalation.

Hence, the allegation is substantiated,

9. At present, it is decided to close the contract and settle the account vide NF.No.3842/Nandyal/Ph-IX/CE/AE5/2010, Dt.30-04-2016.

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-III

DRAFT STATEMENT OF IMPUTATIONS ON MISCONDUCT/MISBEHAVIOUR IN SUPPROING TO THE CHARGES TO BE FRAMED AGAINST SMT.M.RAJESWARI, EXECUTIVE ENGINEER,APHB,KURNOOL, PRESENTLY WORKING AT APHB DIVISION, NELLORE, SRI.G.BHASKAR, DEPUTY EXECUTIVE ENGINEER, APHB, KURNOOL DIVISON, KURNOOL, SRI.N.RANGAIAH, ASSISTANT ENGINEER,APHB,KURNOOL DIVISION, KURNOOL.

1. The Director General (VIG cell & ENFT) E.O.PRL.SECY. to Govt.(FAC), VIGILANCE REPORT NO.54(1606/V&E/E/2016), G.A (Vig cell & Enft) Department, Dated 22-06-2017.

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-IV

DRAFT STATEMENT OF IMPUTATIONS ON MISCONDUCT/MISBEHAVIOUR IN SUPPROING TO THE CHARGES TO BE FRAMED AGAINST SMT.M.RAJESWARI, EXECUTIVE ENGINEER,APHB,KURNOOL, PRESENTLY WORKING AT APHB DIVISION, NELLORE, SRI.G.BHASKAR, DEPUTY EXECUTIVE ENGINEER, APHB, KURNOOL DIVISON, KURNOOL, SRI.N.RANGAIAH, ASSISTANT ENGINEER,APHB,KURNOOL DIVISION, KURNOOL.

-NIL-

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT